

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION**

<b>WENDY DEAN,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>CIVIL ACTION NO.: 3:05-cv-758-WHA-CSC</b>
	)	
<b>LEE COUNTY and the LEE COUNTY</b>	)	
<b>COMMISSION,</b>	)	
	)	
<b>Defendants.</b>	)	

**JOINT MOTION TO AMEND UNIFORM SCHEDULING ORDER**

COME NOW the Plaintiff Wendy Dean, by and through counsel, and Defendants Lee County and the Lee County Commission, by and through counsel (jointly, the “Parties”), and jointly move this Honorable Court to amend its Uniform Scheduling Order in this action, and in support of which Motion the Parties state as follows:

1. Parties, in their Report of Parties’ Planning Meeting, suggested to the Court that discovery be completed by March 31, 2006, which this Court incorporated into its Scheduling Order. Further, the Parties suggested that Defendants’ expert report be due by February 28, 2006, which this Court also incorporated into its Scheduling Order. However, in their Report of Parties’ Planning Meeting, the Parties suggested that all potentially dispositive motions should be filed by April 28, 2006, which suggestion this Court did not incorporate into its Scheduling Order. Rather, this Court, in its Scheduling Order, required that all dispositive motions be filed no later than ninety (90) days prior to the pretrial hearing, which is set for May 26, 2006. This schedule would require that dispositive motions be filed by February 25, 2006, which date is prior to any of the aforementioned discovery deadlines. The necessary implication is that any

dispositive motions filed in this action would be without the benefit of the Defendants' expert report, or any discovery conducted between February 25 and March 31, 2006.

2. Pursuant to discussions and correspondence, the Parties believe that, given additional time, there is a very real possibility that this action could be resolved without undue burden and expense to either Party.

3. Accordingly, the Parties jointly respectfully move this Court to amend its Uniform Scheduling Order to reflect the following schedule:

- (a) Plaintiff's expert report due February 17, 2006;
- (b) Defendants' expert report due March 31, 2006;
- (c) Discovery deadline of April 28, 2006;
- (d) Dispositive Motions due 90 days before trial;
- (e) Pre-trial conference set in August, 2006; and
- (f) Trial set in September, 2006.

WHEREFORE, ABOVE PREMISES CONSIDERED, Plaintiff Wendy Dean, by and through counsel, and Defendants Lee County and the Lee County Commission, by and through counsel, jointly move this Honorable Court to amend its Uniform Scheduling Order to reflect the above schedule.

Respectfully submitted on this the 27th day of January, 2006.

**s/Scott W. Gosnell**

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